

Matsui	Peterson (PA)	Smith (NJ)
McCarthy (MO)	Petri	Smith (TX)
McCarthy (NY)	Pickering	Smith (WA)
McCollum	Pitts	Snyder
McCotter	Platts	Solis
McCrery	Pombo	Souder
McDermott	Pomeroy	Spratt
McGovern	Porter	Stark
McHugh	Portman	Stearns
McInnis	Price (NC)	Stenholm
McIntyre	Pryce (OH)	Strickland
McKeon	Putnam	Stupak
McNulty	Radanovich	Sullivan
Meehan	Rahall	Sweeney
Meek (FL)	Ramstad	Tancred
Meeks (NY)	Rangel	Tanner
Menendez	Regula	Tauscher
Mica	Rehberg	Tauzin
Michaud	Renzi	Taylor (MS)
Millender-	Reyes	Taylor (NC)
McDonald	Reynolds	Terry
Miller (FL)	Rodriguez	Thomas
Miller (MI)	Rogers (AL)	Thompson (CA)
Miller (NC)	Rogers (KY)	Thompson (MS)
Miller, Gary	Rogers (MI)	Thornberry
Miller, George	Rohrabacher	Tiahrt
Mollohan	Ros-Lehtinen	Tiberi
Moore	Ross	Tierney
Moran (KS)	Rothman	Toomey
Moran (VA)	Roybal-Allard	Towns
Murphy	Royce	Turner (OH)
Murtha	Rush	Turner (TX)
Musgrave	Ryan (OH)	Turner (TX)
Myrick	Ryan (WI)	Udall (CO)
Nadler	Ryun (KS)	Udall (NM)
Napolitano	Sabo	Upton
Neal (MA)	Sanchez, Linda	Van Hollen
Nethercutt	T.	Velazquez
Neugebauer	Sanchez, Loretta	Visclosky
Ney	Sanders	Vitter
Northup	Sandlin	Walden (OR)
Norwood	Saxton	Walsh
Nunes	Schakowsky	Wamp
Nussle	Schiff	Waters
Oberstar	Schrock	Watson
Obey	Scott (GA)	Watt
Olver	Scott (VA)	Waxman
Ortiz	Sensenbrenner	Weiner
Osborne	Serrano	Weldon (FL)
Ose	Sessions	Weldon (PA)
Otter	Shade	Weller
Owens	Shaw	Wexler
Oxley	Shays	Whitfield
Pallone	Sherman	Wicker
Pascarell	Sherwood	Wilson (NM)
Pastor	Shimkus	Wilson (SC)
Paul	Shuster	Wolf
Payne	Simmons	Woolsey
Pearce	Simpson	Wu
Pelosi	Skelton	Young (AK)
Pence	Slaughter	Young (FL)
Peterson (MN)	Smith (MI)	

NOT VOTING—8

Cubin	Green (TX)	Ruppersberger
Fletcher	Kucinich	Wynn
Gephardt	Quinn	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1520

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: "A resolution condemning the terrorist attacks in Istanbul, Turkey, on November 15 and 20, 2003, expressing condolences to the families of the individuals murdered and expressing sympathies to the individuals injured in the terrorist attacks, and expressing solidarity with Turkey and the United Kingdom in the fight against terrorism."

A motion to reconsider was laid on the table.

VETERANS HEALTH CARE, CAPITAL ASSET, AND BUSINESS IMPROVEMENT ACT OF 2003

The SPEAKER pro tempore (Mr. BASS). The pending business is the question of suspending the rules and passing the Senate bill, S. 1156.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the Senate bill, S. 1156, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 2, not voting 9, as follows:

[Roll No. 658]

YEAS—423

Abercrombie	Clay	Gilchrest
Ackerman	Clyburn	Gillmor
Aderholt	Coble	Gingrey
Akin	Cole	Gonzalez
Alexander	Collins	Goode
Allen	Conyers	Goodlatte
Andrews	Cooper	Gordon
Baca	Costello	Goss
Bachus	Cox	Granger
Baird	Cramer	Graves
Baker	Crane	Green (WI)
Baldwin	Crenshaw	Greenwood
Ballance	Crowley	Grijalva
Ballenger	Culberson	Gutierrez
Barrett (SC)	Cummings	Gutknecht
Bartlett (MD)	Cunningham	Hall
Barton (TX)	Davis (AL)	Harman
Bass	Davis (CA)	Harris
Beauprez	Davis (FL)	Hart
Becerra	Davis (IL)	Hastings (FL)
Bell	Davis (TN)	Hastings (WA)
Bereuter	Davis, Jo Ann	Hayes
Berkley	Davis, Tom	Hayworth
Berry	Deal (GA)	Hefley
Biggett	DeFazio	Hensarling
Bilirakis	DeGette	Herger
Bishop (GA)	Delahunt	Hill
Bishop (NY)	DeLauro	Hinchey
Bishop (UT)	DeLay	Hinojosa
Blackburn	DeMint	Hobson
Blumenauer	Deutsch	Hoeffel
Blunt	Diaz-Balart, L.	Hoekstra
Boehlert	Diaz-Balart, M.	Holden
Boehner	Dicks	Holt
Bonilla	Dingell	Honda
Bonner	Doggett	Hooley (OR)
Bono	Dooley (CA)	Hostettler
Boozman	Doolittle	Houghton
Boswell	Doyle	Hoyer
Boucher	Dreier	Hulshof
Boyd	Duncan	Hunter
Bradley (NH)	Dunn	Hyde
Brady (PA)	Edwards	Inslee
Brady (TX)	Ehlers	Isakson
Brown (OH)	Emanuel	Israel
Brown (SC)	Emerson	Issa
Brown, Corrine	Engel	Istook
Brown-Waite,	English	Jackson (IL)
Ginny	Eshoo	Jackson-Lee
Burgess	Etheridge	(TX)
Burns	Evans	Janklow
Burr	Everett	Jefferson
Burton (IN)	Farr	Jenkins
Buyer	Fattah	John
Calvert	Feeney	Johnson (CT)
Camp	Ferguson	Johnson (IL)
Cannon	Filner	Johnson, E. B.
Cantor	Flake	Jones (NC)
Capito	Foley	Jones (OH)
Capps	Forbes	Kanjorski
Capuano	Ford	Kaptur
Cardin	Fossella	Keller
Cardoza	Frank (MA)	Kelly
Carson (IN)	Franks (AZ)	Kennedy (MN)
Carson (OK)	Frelinghuysen	Kennedy (RI)
Carter	Frost	Kildee
Case	Gallagher	Kilpatrick
Castle	Garrett (NJ)	Kind
Chabot	Gerlach	King (IA)
Chocola	Gibbons	King (NY)

Kingston	Ney	Shadegg
Kirk	Northup	Shaw
Klecza	Norwood	Shays
Kline	Nunes	Sherman
Knollenberg	Nussle	Sherwood
Kolbe	Oberstar	Shimkus
LaHood	Obey	Shuster
Lampson	Olver	Simmons
Langevin	Ortiz	Simpson
Lantos	Osborne	Skelton
Larsen (WA)	Ose	Slaughter
Larson (CT)	Otter	Smith (MI)
Latham	Owens	Smith (NJ)
LaTourette	Oxley	Smith (TX)
Leach	Pallone	Smith (WA)
Lee	Pascarell	Snyder
Levin	Pastor	Solis
Lewis (CA)	Paul	Souder
Lewis (GA)	Payne	Spratt
Lewis (KY)	Pearce	Stark
Linder	Pelosi	Stearns
Lipinski	Pence	Stenholm
LoBiondo	Peterson (MN)	Strickland
Lofgren	Peterson (PA)	Stupak
Lowey	Petri	Sullivan
Lucas (KY)	Pickering	Sweeney
Lucas (OK)	Pitts	Tancred
Lynch	Platts	Tanner
Majette	Pombo	Tauscher
Maloney	Pomeroy	Tauzin
Manzullo	Porter	Taylor (MS)
Markey	Portman	Taylor (NC)
Marshall	Price (NC)	Terry
Matheson	Pryce (OH)	Thompson (CA)
Matsui	Putnam	Thompson (MS)
McCarthy (MO)	Radanovich	Thornberry
McCarthy (NY)	Rahall	Tiahrt
McCollum	Ramstad	Tiberi
McCotter	Rangel	Tierney
McCrery	Regula	Toomey
McDermott	Rehberg	Towns
McGovern	Renzi	Turner (OH)
McHugh	Reyes	Turner (TX)
McInnis	Reynolds	Udall (CO)
McIntyre	Rodriguez	Udall (NM)
McKeon	Rogers (AL)	Upton
McNulty	Rogers (KY)	Van Hollen
Meehan	Rogers (MI)	Velazquez
Meek (FL)	Rohrabacher	Visclosky
Meeks (NY)	Ros-Lehtinen	Ross
Menendez	Rothman	Walden (OR)
Mica	Roybal-Allard	Walsh
Michaud	Royce	Wamp
Millender-	Rush	Waters
McDonald	Ryan (OH)	Watson
Miller (FL)	Ryan (WI)	Watt
Miller (MI)	Ryun (KS)	Waxman
Miller (NC)	Sabo	Weiner
Miller, Gary	Sanchez, Linda	Weldon (FL)
Miller, George	T.	Weldon (PA)
Mollohan	Sanchez, Loretta	Weller
Moore	Sanders	Wexler
Moran (KS)	Sandlin	Whitfield
Moran (VA)	Saxton	Wicker
Murphy	Schakowsky	Wilson (NM)
Murtha	Schiff	Wilson (SC)
Musgrave	Schrock	Wolf
Myrick	Scott (GA)	Woolsey
Nadler	Scott (VA)	Wu
Napolitano	Sensenbrenner	Young (AK)
Neal (MA)	Serrano	Young (FL)
Nethercutt	Sessions	
Neugebauer		

NAYS—2

Johnson, Sam Thomas

NOT VOTING—9

Berman	Gephardt	Quinn
Cubin	Green (TX)	Ruppersberger
Fletcher	Kucinich	Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1529

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GREEN of Texas. Mr. Speaker, I regret I was unavoidably detained and missed the three votes earlier today.

Had I been present, I would have voted in the following manner: rollcall 656, approving H.R. 1904, the Healthy Forests Restoration Act of 2003, I would have voted "nay."

On rollcall 657, approving H.R. 453, I would have voted "yea."

On rollcall 658, approving S. 1156, I would have voted "yea."

□ 1530

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1, MEDICARE PRESCRIPTION DRUG, IMPROVEMENT, AND MODERNIZATION ACT OF 2003

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 108-394) on the resolution (H. Res. 463) waiving points of order against the conference report to accompany the bill (H.R. 1) to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings security accounts and health savings accounts, to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 459 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 459

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of November 21, 2003, providing for consideration or disposition of a conference report to accompany the bill (H.R. 1) to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings security accounts and health savings accounts, to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, and for other purposes.

The SPEAKER pro tempore (Mr. BASS). The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

Ms. PRYCE of Ohio. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, yesterday the Committee on Rules met and passed this resolution waiving clause 6(a) of rule XIII, requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules against certain resolutions reported from the Committee on Rules. The resolution applies the waiver to a special rule reported on or before the legislative day of Friday, November 21, 2003, providing for consideration or disposition of the conference report to accompany the bill, H.R. 1, the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

Mr. Speaker, as my colleagues are aware, the conference committee has completed its work and the conference report has been filed. In the spirit of bipartisanship to accommodate the request of the minority, the Committee on Rules met this morning, as opposed to last night, to give members of the minority an opportunity to come to the Committee on Rules at a convenient time and so that the witnesses could come to the Committee on Rules at a convenient time to talk about this extraordinarily important conference report which delivers to America's seniors a voluntary, universal, and guaranteed prescription drug benefit.

This morning, the Committee on Rules received testimony for more than 4 hours on this conference report from many Members in anticipation of reporting a rule to bring this very important and historic legislation before the House. Adoption of this same-day rule and a subsequent rule will simply allow us to consider the historic prescription drug and Medicare modernization plan today, hopefully moving us one day closer to sending this measure to the President of the United States for his signature and sending a strong message to the American people that this Congress is committed to ensuring our seniors that they have access to affordable medications that will keep them healthy and active.

Mr. Speaker, I strongly urge my colleagues to support this rule and allow the House to complete its work on this landmark legislation. America's seniors have waited far too long. It is time for us to act.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, the rules of this body require that before

considering a conference report, a copy of the report and the joint explanatory statement must be available to Members for 3 business days. The Medicare drug conference report and accompanying explanatory statement were filed very early this morning, 1:17 a.m. But here we are, Mr. Speaker, debating a special rule waiving the House rule prohibiting the same-day consideration of the Medicare conference report that is more than 1,000 pages long. This defies common sense. This tramples on the rights of the Members of this body. How are we to make the best informed decisions for our constituents and the Nation about monumental legislation when we do not have the required opportunity to examine this report? What should be bipartisan conference committees are, in fact, clandestine meetings held behind closed doors. Democratic House Members were deliberately excluded from the conference committee. The only African Americans on the Committee on Ways and Means were banned from a place at the negotiating table speaking for our African American citizens. That included the ranking member of the Committee on Ways and Means, who was appointed to the conference by the Speaker of the House. Key policy bargains were made out of sight of Members and hidden from public inspection.

What is it that we and the American people are not supposed to see in the fine print? Does this plan hand billions of dollars to the wealthy drug companies and insurance industry? Does this plan hurt seniors more than it helps? Will seniors end up paying more and receiving less? What will the impact be on minority seniors? They were not represented at the table. Is this bill a Trojan horse of privatizing and dismantling Medicare? If this bill is the answer to seniors' cries for help combating the skyrocketing prices charged for medications, why are we not allowed to carefully review the hundreds of pages of this report? News reports and a quick glance at the bill indicate that nothing is done to freeze or control out-of-control drug prices.

Just this morning, Thomas Scully, administrator of the Centers for Medicare and Medicaid Services, told a senior Member of the other body that he misunderstood this plan and needs to read the bill. That is a wonderful suggestion, Mr. Speaker. Too bad that we will not have that chance as the Senate has. Medicare is much too precious to kill because we will never, ever in our lifetimes and probably anybody else's in my voice's range be able to institute another program like this in America.

I remind my colleagues of the Medicare Catastrophic Coverage Act which was passed without providing Members and seniors sufficient opportunity to read the pages and pages of fine print. The result was a momentous backlash. American seniors were outraged by the legislation, so outraged that Congress was forced to repeal the law the very next year.